

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

PATRICIA BURKETT, Administratrix
of the Estate of JEREMY BURKETT,
deceased,

Plaintiff,

v.

TIMOTHY EUGENE MCCRAY and
S.E.LUMBER COMPANY,

v.

Defendants,

SOUTHERN GENERAL INSURANCE,
and THE CENTRAL MUTUAL
INSURANCE COMPANY,

Third Party Defendants.

CIVIL ACTION NO.:
1: 06-CV-775-DRB

REPORT OF PARTIES' RULE 26 (F) MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on the 10th day of October, 2006 at the offices of Miller, Hamilton, Snider & Odom, LLC located at 505 North 20th Street, 1200 Financial Center, Birmingham, Alabama 35203 and was attended by:

1. Mr. Tommy R. Scarborough and Mr. David L. Harrison for the Plaintiff, Patricia Burkett, Administratrix of the estate of Jeremy Burkett, deceased.

2. William A. Mudd for the Defendants, Timothy Eugene McCray and Southeast Lumber Company, Inc.
3. Mr. David Rousseau, for the Counter-Claim/Third Party Plaintiff, Timothy Eugene McCray.
4. Mr. C. Peter Bolvig, for the Third Party Defendant designated as, The Central Mutual Insurance Company.

2. Synopsis of Case and Defenses Thereto:

The Plaintiff makes claim for the wrongful death of her son as the result of a two-vehicle accident that occurred on October 14, 2005 in Houston County, Alabama. The Plaintiff claims that McCray negligently operated a vehicle while acting as a duly authorized agent for Southeast. The Plaintiff seeks punitive damages against the Defendants. The Plaintiff does not specify the amount of damages she seeks in the complaint.

The Counter-Claim/Third Party Plaintiff makes claim for negligence and wantonness against the original Plaintiff and for uninsured/underinsured motorist benefits against the Third Party Defendants.

3. Pre-Discovery Disclosures.

The parties will exchange, on or before **November 1, 2006** the information required by local rule 26.1 (a) (1) and Local Rule LR 26.1(a)(1).

4. Discovery Plan.

The parties jointly propose to the Court the following discovery plan:

Discovery will be needed with respect to the basis of the plaintiff's claims, and with respect to the basis of the defendant's defenses;

All discovery commenced in time to be completed by **Friday, July 27, 2007**

Maximum of 45 interrogatories by each party to any other party. Responses due 30 days after service.

Maximum of 30 requests for admissions by each party to any other party. Responses due 30 days after service.

Maximum of 15 depositions by plaintiff and 15 by each Defendant. Each deposition limited to a maximum of 7 hours unless extended by agreement of parties.

Reports from retained experts under Rule 26 (a) (2) due:

from the original plaintiff, the counter-claim plaintiff and the third party plaintiff on or before **Friday, February 2, 2007**

from the original defendants, the counter-claim defendant and third party defendants on or before **Friday, March 16, 2007**

Supplementation under Rule 26 (e) due on or before **Friday, April 6, 2007**.

5. Other Items.

The parties do not request a conference with the Court before entry of the Scheduling Order.

The parties request a Pretrial conference 60 days prior to trial.

The Plaintiff shall be allowed until **December 29, 2006** to join additional parties or to amend the pleadings.

All potentially dispositive motions should be filed 30 days before the Pretrial conference.

Settlement cannot fully be evaluated prior to the completion of all discovery, although the parties, through counsel, shall explore the potential for settlement.

Final lists of witnesses and exhibits under Rule 26 (a) (3) should be due:

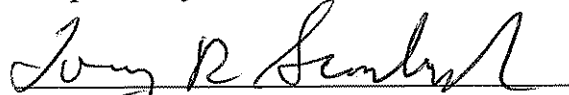
from Plaintiff 30 days prior to trial.
From Defendants 30 days before trial

The Parties should have 10 days after service of final witness/exhibit lists to object under Rule 26 (a) (3).

The case should be ready for trial by any time after **August 2007**, and at this time it is expected to take approximately 3-4 trial days.

Date: 10/12/06

Respectfully Submitted,



Mr. Tommy R. Scarborough

Federal No. :

Attorney for Plaintiff,
Patricia Burkett

OF COUNSEL:

P. O. Box 994
Geneva, Alabama 36340
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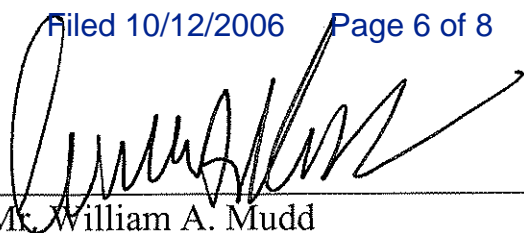
Mr. David J. Harrison

Federal No. : ASB-7369-A70D

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Mr. William A. Mudd

Federal No. : ASB-4274-U79W

Attorney for Defendants,
Timothy Eugene McCray and
Southeast Lumber Company, Inc.

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A handwritten signature in black ink, appearing to read "David Rousseau", is written over a horizontal line.


Mr. David Rousseau

Federal No. :ASB-0469-S78D

Attorney for Counter-Claim and
Third-Party Plaintiff,
Timothy Eugene McCray

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Mr. C. Peter Bolvig,
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Attorney for Third-Party Defendant
designated as, The Central Mutual
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OF COUNSEL:

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